

Serial No. 10/811,870

Attorney Docket No. 02-116-RCE

REMARKS

Claims 1, 5, 7, and 17, 19-24, 26 and 27 are pending. Claims 2-4, 6, 8-16, 18 and 25 have been canceled. The applicant respectfully requests reconsideration and allowance of this application in view of the above amendments and the following remarks.

Claims 1, 5, 7, 17, 18, 19 and 25 were rejected under 35 USC 112, first paragraph, as failing to comply with the written description requirement. The applicants respectfully request that this rejection be withdrawn for the following reasons.

The material added to claim 1 in the previous amendment was said to lack support in the specification. Claim 1 has been amended to remove the word "molded." Now, claim 1 recites the first and second body parts are made of resin material. Whereas before, claim 1 recited that the first and second body parts are molded separately, claim 1 now recites the first and second body parts are separate. Claim 1 is now fully supported by the written description, and this rejection should be withdrawn.

The specification has been amended to recite that the first and second body parts are made of resin material and are separate. This change does not involve new matter, because the cross hatching of the originally filed drawings indicates that the material of the first and second body parts is resin material. Also, the original drawings showed that the first and second body parts are separate, and the original description indicated the same, although the word "separate" was not used.

Claims 1, 5, 7 and 17-27 were rejected under 35 USC 112, second paragraph, as being indefinite. The applicants respectfully request that this rejection be withdrawn for the following reasons.

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Claims 1, 20, and 21 were said to be indefinite for being uncertain as to whether a combination or a sub-combination is being claimed. Since the windshield is not positively recited as an element of the invention, there should be no confusion as to whether a combination or a sub-combination is being claimed. However, the independent claims have been amended to recite that the washer system is in a vehicle, and the windshield is a windshield of the vehicle. Therefore, this rejection should be withdrawn.

Claims 20, 21, 23, 26 and 27 were rejected under 35 USC 102(b) as being anticipated by DeWitt et al. The applicants respectfully request that this rejection be withdrawn for the following reasons.

Claim 20 now recites that the first body part is made from a resin material, and the filter is formed integrally with the first body part. Claim 20 further recites that the filter includes a plurality of filter holes, each of which extends through the filter and that a maximum width of each filter hole is smaller than an inner diameter of each of the at least one jet opening. DeWitt et al. fails to recite these limitations.

More specifically, in DeWitt, although the cross section of the washer 32 is indicated by a resin hatching in FIG. 6, the cross section of the first body part 72 is indicated by a metal hatching in FIG. 3. Therefore, unlike the nozzle of claim 20, the first body part 72 of DeWitt is made of metal, and the filter 76 of DeWitt is formed separately from the first body part 72. Also, the filter 76 of DeWitt does not have a plurality of filter holes, each of which extends through the filter.

The filter holes of claim 20 allow smoother flow of the fluid through each of the filter holes with the minimum flow resistance in comparison to, for example, a fiber filter, while filtering undesirable debris or the like. Furthermore, when the filter is formed together with its

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filter holes along with the first body part, it is not required to drill or cut the filter holes in the filter like in a case of a metal filter integrated in a metal first body. Therefore, in the nozzle of claim 20, the filter holes of the filter can be easily and effectively formed together with the first body part at the time of molding the first body part, so that manufacturing costs are reduced, in comparison to DeWitt, in which the filter is formed separately from the first body part. Accordingly, claim 20 should be patentable over DeWitt.

Claim 21 recites limitations similar to those of claim 20. Thus, claim 21 and its dependent claims should be patentable for essentially the reasons given above with respect to claim 20.

Claims 20-24, 26 and 27 were rejected under 35 USC 102(b) as being anticipated by Barlow. The applicants respectfully request that this rejection be withdrawn for the following reasons.

Barlow discloses a filter 46, which is indicated by a screening hatching in FIGS. 1 and 2 and is formed separately from the nozzle body 14, 12. Thus, Barlow fails to disclose the limitations of claims 20 and 21. That is, the patent to Barlow fails to disclose a filter that is formed integrally with part of the nozzle body. Therefore, claims 20-24, 26, 27 should be patentable over the Barlow reference.

Claims 1, 5, 7, 17, 18, 19, and 25 were rejected under 35 USC 103(a) as being unpatentable over DeWitt et al. Claims 18 and 25 have been canceled and will not be discussed. As for claims 1, 5, 7, 17 and 19, the applicants respectfully request that this rejection be withdrawn for the following reasons.

Claim 1 recites that the first body part is made from a resin material, and the filter is formed integrally with the first body part. Claim 1 further recites that the filter includes a

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plurality of filter holes, each of which extends through the filter. The examiner recites that it would have been obvious to a person having ordinary skill in the art at the time of the invention to have made the first and second body parts of DeWitt from resin material to prevent corrosion. However, in the case of DeWitt, even if the first and second body parts are made from resin material, the filter is still formed separately from the first body part. Thus, DeWitt still requires separate manufacturing of the filter and the assembling of the filter to the first body part, which increases the manufacturing costs.

Also, as discussed above, DeWitt fails to disclose filter holes that extend through the filter. Thus, the above-described advantages of the filter holes formed in the filter together with the resin first body part cannot be achieved by DeWitt. Accordingly, claim 1 and its dependent claims should be patentable over DeWitt.

Claims 1, 5, 7 and 17-19 were rejected under 35 USC 103(a) as being unpatentable over Barlow. Claim 18 has been canceled and will not be discussed. However, as for claims 1, 5, 7, 19 and 19, the applicants respectfully request that this rejection be withdrawn for the following reasons.

The examiner asserts that it would have been obvious to a person having ordinary skill in the art at the time of the invention to have made the first and second body parts of Barlow from resin material to prevent corrosion. However, in the case of Barlow, even if the first and second body parts are made from the resin material, the filter 46 is still formed separately from the first body part. Thus, Barlow still requires the separate manufacturing of the filter and the assembling of the filter to the first body part, resulting in an increase of the manufacturing costs. Also, as discussed above, Barlow fails to disclose the claimed filter holes. Thus, the above-described advantages of the filter holes, which are formed in the filter along with the resin first body part,

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cannot be achieved by DeWitt. Accordingly, claim 1 and its dependent claims should be patentable over Barlow.

Claims 1, 5, 7, 17-19, and 25 were rejected under 35 USC 103(a) as being unpatentable over Barlow in view of Joiner. Claims 18 and 25 have been canceled and will not be discussed. As for claims 1, 5, 7, 17 and 19, the applicants respectfully request that this rejection be withdrawn for the following reasons.

Joiner discloses pressure retaining valves of air braking systems on railroad freight and passenger cars. Thus, Joiner represents non-analogous art because it belongs to a different field of endeavor, and Joiner should not be used for rejecting the present claims.

Also, Joiner fails to disclose at least one jet opening, from which the washer fluid is jetted out of the nozzle body. Therefore Joiner fails to disclose or suggest that a maximum width of each filter hole is smaller than an inner diameter of each of the at least one jet opening.

Furthermore, Joiner fails to disclose or suggest resin material forming the first body part. More specifically, Joiner discloses only metal as the material of the first body part and fails to explicitly disclose or suggest other specific possible materials, more specifically, the resin material (see page 2, the left column, lines 18-31). Thus, Joiner only discloses a metal first body part and a metal filter. In such a case, the filter holes must be drilled or cut in the metal filter body after manufacturing of the metal first body part. This adds additional costs required for the drilling or cutting of the filter holes, unlike the resin first body and the resin filter of claim 1. Therefore, claim 1 and its dependents should be patentable.

In view of the foregoing, the applicant respectfully submits that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

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Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,



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